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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Paul Felix Mason, III,

10 Plaintiff,

11 v.

12 Commissioner of Social Security
13 Administration,

14 Defendant.

No. CV-18-08016-PCT-ESW

ORDER

15 Pending before the Court is Plaintiff Paul Felix Mason's ("Mr. Mason") motion
16 for reconsideration. (Doc. 17.) On July 20, 2018 the Magistrate Judge filed a Report and
17 Recommendation with this Court recommending that the motion be denied. (Doc. 18.)
18 On August 8, 2018, Mr. Mason filed his Objection (Doc. 19) to the Report and
19 Recommendation. After considering the Report and Recommendation and Mr. Mason's
20 Objection thereto, the Court now issues the following ruling.

21 **STANDARD OF REVIEW**

22 When reviewing a Magistrate Judge's Report and Recommendation, this Court
23 "shall make a de novo determination of those portions of the report or specified proposed
24 findings or recommendations to which objection is made," and "may accept, reject, or
25 modify, in whole or in part, the findings or recommendations made by the magistrate
26 judge." 28 U.S.C. § 636(b)(1)(C); see also Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th
27 Cir. 1991) (citing Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir.
28 1983)). Failure to object to a Magistrate Judge's recommendation relieves the Court of

1 conducting de novo review of the Magistrate Judge’s factual findings and waives all
2 objections to those findings on appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir.
3 1998). A failure to object to a Magistrate Judge’s conclusion “is a factor to be weighed in
4 considering the propriety of finding waiver of an issue on appeal.” Id.

5 **DISCUSSION¹**

6 As a preliminary matter, Mr. Mason’s motion for reconsideration is untimely.
7 Absent good cause shown, motions for reconsideration must be filed no later than
8 fourteen days after the date of filing of the Order that is the subject of the motion. LRCiv.
9 7.2(g)(2). Here, Mr. Mason filed his motion for reconsideration on July 12, 2018, 16 days
10 after the Court’s June 26, 2018 Order adopting the April 11, 2018 Report and
11 Recommendation.

12 Not only is Mr. Mason’s motion for reconsideration untimely, but his Objection to
13 the July 20, 2018 Report and Recommendation is also untimely. The July 20, 2018
14 Report and Recommendation allotted Mr. Mason “fourteen days from the date of service
15 of a copy of this Report and Recommendation within which to file specific written
16 objections with the Court.” (Doc 18.) Mr. Mason filed his Objection on August 8, 2018,
17 19 days from the July 20, 2018 filing of the Magistrate Judge’s Report and
18 Recommendation. Thus, the Objection is untimely.

19 Even if Mr. Mason timely filed his Objection, he does not object to any issue
20 addressed in the Report and Recommendation, thereby relieving the Court of its
21 obligation to conduct a de novo review of the Magistrate Judge’s Report and
22 Recommendation. See Turner, 158 F.3d at 455; see also Thomas v. Arn, 474 U.S. 140,
23 149 (1985) (explaining that § 636(b)(1)(C) does not require review “of any issue that is
24 not the subject of an objection”). The essence of Mr. Mason’s motion is that he never
25 received notice that this case closed on June 26, 2018, and that he is “a little confused” as
26 to why he is permitted to respond to the Magistrate Judge’s Report and Recommendation
27 when the case is closed. (Doc. 19.) Because he does not object to a specific finding or

28 ¹ The procedural history of this case is set forth in the Magistrate Judge’s previous
Report and Recommendation. (Doc. 12.)

1 recommendation in the Report and Recommendation, the Court is relieved of its
2 obligation to conduct a de novo review of the Report and Recommendation.

3 Having reviewed the Report and Recommendation of the Magistrate Judge, and no
4 specific objections having been made by Mr. Mason thereto, the Court hereby
5 incorporates and adopts the Magistrate Judge's Report and Recommendation.

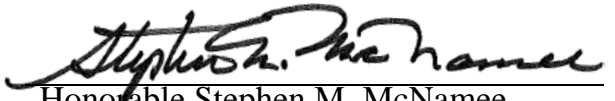
6 **CONCLUSION**

7 Accordingly,

8 **IT IS HEREBY ORDERED** adopting the Report and Recommendation of the
9 Magistrate Judge. (Doc. 18.)

10 **IT IS FURTHER ORDERED** denying Plaintiff's motion for reconsideration.
11 (Doc. 17.)

12 Dated this 4th day of September, 2018.

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16 Honorable Stephen M. McNamee
17 Senior United States District Judge
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